

HOUSE No. 1699

By Mr. Humason of Westfield, petition of Donald F. Humason, Jr., and others relative to the placing of markers, plaques and flags on veterans' graves. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

PETITION OF:

Donald F. Humason, Jr.	Robert K. Coughlin
Mary S. Rogeness	Anne M. Gobi
John W. Scibak	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE PLACING OF MARKERS, PLAQUES, AND FLAGS ON VETERANS' GRAVES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1.

2 (a) The short title of this act shall be the "Veterans' Graves
3 Protection Act."

4 (b) All national and state veterans' cemeteries within the
5 Commonwealth shall be exempt from the provisions of this act.

1 SECTION 2.

2 (a) The holder of a burial easement pertaining to the grave of a
3 Veteran shall have the right to place and maintain upon such grave
4 a Veteran's grave marker or metal plaque, and a flag of the United
5 States of America.

6 (b) Whenever any person, including a municipality or other
7 subdivision of the commonwealth, a church, a religious or chari-
8 table society, a cemetery corporation or association, whether or
9 not acting under the color of law, interferes with the exercise and
10 enjoyment by any other person or persons with the right described
11 in paragraph (a) above, any person aggrieved thereby may bring a

12 civil action for injunction or other appropriate equitable relief in
13 order to protect the peaceable exercise or enjoyment of the right
14 secured.

15 (c) The attorney general may bring such action in the name of
16 the commonwealth.

17 (d) Said civil action shall be instituted either in the superior court
18 for the county in which the conduct complained of occurred, or in
19 the superior court for the county in which the person whose conduct
20 complained of resides or has his principle place of business.